IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA HARRISBURG DIVISION

JODY FINEFROCK, individually and on behalf of a class of others similarly-situated,

Plaintiffs,

v.

FIVE GUYS OPERATIONS, LLC,

Defendant.

Civil Action No. 1:17-cv-02214

Judge Sylvia H. Rambo

Electronically Filed

NOTICE OF DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff Jody Finefrock hereby dismisses this case without prejudice.

Dated: January 31, 2018

Respectfully submitted,

MCCARTHY WEISBERG CUMMINGS, P.C.

By: /s/ Larry A. Weisberg

Larry A. Weisberg (PA BAR ID 83410) Derrek W. Cummings (PA BAR ID 83286)

2704 Commerce Drive, Suite B

Harrisburg, PA 17110

Telephone: (717) 23805707 Facsimile: (717) 233-8133

Email: lweisberg@mwcfirm.com

dcummings@mwcfirm.com

STUEVE SIEGEL HANSON LLP

George A. Hanson (*pro hac vice* to be submitted)

Alexander T. Ricke (*pro hac vice* to be submitted)

460 Nichols Road, Suite 200

Kansas City, MO 64112

Telephone: (816) 714-7100 Facsimile: (816) 714-7101

Email: hanson@stuevesiegel.com

ricke@stuevesiegel.com

ATTORNEYS FOR PLAINTIFFS AND THE PUTATIVE COLLECTIVE ACTION CLASS

Case 1:17-cv-02214-SHR Document 5 Filed 01/31/18 Page 3 of 3

CERTIFICATE OF SERVICE

I hereby certify that on this January 31, 2018, a copy of the foregoing Notice

of Dismissal without Prejudice was filed using the Middle District of

Pennsylvania's ECF system, through which this document is available for viewing

and downloading. Additionally, a copy of the foregoing Notice of Dismissal

without Prejudice was served via electronic mail to the following:

Theodore A. Schroeder, Esquire

tschroeder@littler.com

Sarah J. Miley, Esquire smiley@littler.com

LITTLER MENDELSON, P.C.

625 Liberty Avenue, 26th Floor Pittsburgh, PA 15222

Attorneys for Defendant Five Guys Operations, LLC

By: /s/ Larry A. Weisberg

Larry A. Weisberg